



Other Issues Fact Sheet – Seeds Canada and the Canadian Seed Sector

October 2023

Gene Editing and Plant Breeding Innovation

Innovations in plant breeding, including gene editing, provide an opportunity for developers to incorporate new and improved traits for use in agricultural systems. These traits can improve a crop's resistance to pests, including insects and diseases, or to abiotic stresses, and can improve agronomic performance, including yield increase, nutritional content and end-use functionality. The advantages of new plant breeding innovations over conventional breeding include the introduction of traits that may not be present in the available germplasm pool, the introduction of stable traits in a more timely manner, and the precise introduction of traits without the addition of other potentially detrimental traits.

Addressing the issue of climate change, new breeding innovations such as gene editing are important tools.

- Tools such as gene editing make it possible for beneficial traits to be used more quickly and more effectively.
- Resistance to abiotic and biotic stresses can ensure production in the face of changing and challenging environmental conditions.
- New innovations in plant breeding may facilitate sustainable increases in yields to ensure continued food security.

Seeds Canada supports sensible, fit-for-purpose regulation of products of plant breeding innovation.

- Canada recognizes the important role Minister MacAulay played in initiating the development of guidance to enable Canadian agriculture's access to new breeding innovations.
- Seeds Canada welcomes the release of aligned guidance from Health Canada and the CFIA Plant Biosafety Office.
- Seeds Canada looks forward to CFIA Animal Feed Division releasing aligned draft guidance.
- Under Minister MacAulay's leadership, Canada can play a leading role in promoting the harmonization of plant breeding innovation policies around the world. This is important not only for the movement of seeds, but also for maintaining market access for Canadian agricultural products.



Protecting Seed Intellectual Property

Genetic innovation is a form of intellectual property: a creative work or invention over which one has rights and can seek protection. It is vital to protect genetic intellectual property for many reasons, including recovering investments, preventing others from using or copying your variety without permission, encouraging innovation, and encouraging the development of new varieties.

Variety development is both time-consuming and expensive. It is, however, critical to the future success and sustainability of Canadian agriculture.

- Protecting intellectual property allows developers to protect their investment and control how others use it.

Plant breeders' rights, as defined by the Plant Breeders' Rights Act, are a critical crop IP tool.

- Despite the ratification of UPOV91 legislation in 2015, Canada still lacks some critical components of modern seed IP law, including the requirement to pay remuneration for the use of saved seeds.

Seeds Canada offers members and customers several tools to protect their IP and recoup their investments.

- The VUA platform allows for declaring the use of saved seed and collecting royalties by contract.
- Seeds Canada also provides marketplace monitoring and other enforcement tools.

Highlight/key takeaways

To maintain investment in developing improved varieties in Canada for Canadian agriculture, it is critical that Canada support strong intellectual property rights protections.

Visit us at seeds-canada.ca to learn more about Seeds Canada and our members or contact lnewton@seeds-canada.ca.

